

II. REMARKS:

A. CLAIM OBJECTIONS:

In paragraph 1 of the Final Office Action, claim 12 has been objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

In response, claim 12 has been cancelled. New claim 13 has been added. New claim 13 includes subject matter previously canceled from originally filed claim 8 and does not add new matter. With these amendments, Applicants believe that claim 13 is in proper condition for allowance.

B. CLAIM REJECTIONS – 35 U.S.C. § 112:

In paragraph 2 of the Final Office Action, claims 3, 4, 5, 8, 9 and 12 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Final Office Action states that “the claims 3, 4, 5 and 9 teach ‘selected from the group comprising’ which is improper Markush terminology, since such selection could be made from compounds which are not listed within the groups, since the word “comprising” is used. In addition, claim 8 stands rejected because it “depends from itself, thus the scope of the claim and those dependent therefrom, are not clear.”

In response, Applicants have amended claims 3-5 and 8-9 to include the terminology, “selected from the group consisting of.” In addition, claim 12 has been cancelled, and claim 8 has been amended to depend from claim 7. Applicants believe that these amendments overcome the rejections of claims 3-5 and 8-9 under 35 U.S.C. § 112, second paragraph, and respectfully request their allowance in the next paper from the Office.

In paragraph 4, the Final Office Action states that Applicant has overcome the prior art 35 USC 103 rejection and states that the rejection under 35 USC 112 has been maintained. Applicants have amended claim 1 to recite “selected from the group consisting of.” With this amendment, Applicants believe that the rejection of under 35 U.S.C. § 112, second paragraph, is overcome.



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C. ALLOWABLE SUBJECT MATTER :

In paragraph 3 of the Final Office Action, claims 1, 2, 6, 7, 10 and 11 are allowable over the art of record.

The undersigned representative requests any extension of time that may be deemed necessary to further the prosecution of this application. The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No.01-2508, referencing Order No. 11836.0691.PCUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

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Date:

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